

Sacramento River Conservation Area
Board of Directors
Minutes

August 23, 2001

Willows City Hall

4:00 p.m.

Willows, Ca.

Chairman Ben Carter called the meeting of the Sacramento River Conservation Area to order at 4:05 p.m. at the above location. It was determined there was a quorum of (12) voting members present.

<u>County</u>	<u>Public Interest</u>	<u>Landowner</u>	<u>Agency</u>
Butte	Jane Dolan	Shirley Lewis	
Colusa	Doug White	Ben Carter	
Glenn	Keith Hansen Alt. (Denny Bungarz)	Don Anderson	
Shasta	Glenn Hawes	(Dan Gover)	
Sutter	Dan Silva	Russell Young	
Tehama	Bill Borrer	(Brendon Flynn)	
Yolo	Lynnel Pollock	(Marc Faye)	
Resources Agency			Mel Dodgin
Cal DFG			Diana Jacobs
State Reclamation Board			Pete Rabbon
USF&WS			Dan Castleberry
US COE			Mark Charlton
Cal DWR		Stacy Cepello	(Dwight Russell)
Bureau of Reclamation			(Laura Allen)

Names listed in parentheses represent absences

Also present an estimated audience of 25 interested persons

Manager Burt Bundy

Assistant Pat Brown, Recording Secretary

- 1) **PUBLIC PARTICIPATION, UNSCHEDULED MATTERS** – Sam Lawson, TNC, announced the Pine Creek Unit, south of Hamilton City, will be opened September 1 for dove hunting over land owned by TNC; this was previously accessible by water only. John Merz, SRPT, informed the group of the Oct. 3rd to Oct. 5th Northern California Water Facilities & Fisheries Tour which will look at water delivery in northern California. Ben Carter discussed the Governors Environmental and Economic Leadership Award and the possibility of the SRCA applying. The application form is due September 14th, 2001 and Denny Bungarz has volunteered to submit an application on behalf of the Board. A new category this year for watershed groups is a better fit for the SRCA. It was moved by Bill Borrer, seconded by Lynnel Pollock that Denny proceed with the application. Motion passed by unanimous vote of the Board.
- 2) **CONSENT CALENDAR** - It was moved by Doug White, seconded by Jane Dolan, to approve the July 26th, 2001 minutes. Motion passed by unanimous vote of the Board.

- 3) **QUESTION OF POSSIBLE CONFLICT OF INTEREST-** Ben gave a brief overview of the conflict of interest question regarding Burt Bundy's roles as a member of The Reclamation Board and as Manager of the SRCA. Ben advised the group that the consensus of the Executive Committee, given Burt's managerial position at the SRCA and policy making role at The Reclamation Board, any further questions should be directed to The Reclamation Board. The Board will not entertain further discussion of the issue. John Merz raised a question as to whether or not the SRCA has legal counsel and suggested discussion on whether or not that is needed should be agendized.
- 4) **MANAGER'S REPORT** – Burt began the report with a brief background on the gravel bar situation at the M&T/Llano Seco Pumps. The short-term solution has been determined to be dredging the bar; however, it is still uncertain who will be the lead agency but it will probably be DF&G. They are looking at removal of the gravel in the dry and moving it to a piece of land owned by M&T to stockpile, it could be used for spawning gravel elsewhere. The draft of the Stillwater Science report is on the SRCA website. Les Heringer, Manager of the M&T, discussed the costs for removal of the gravel which has been estimated at \$400,000.00; the City of Chico will share costs with the Ranches. Les also mentioned that at a recent meeting in Sacramento held to discuss funding, a suggestion was made that they look at applying for a CALFED grant. Les informed the Board he will be submitting a proposal and asked for a letter of support from the SRCA Board. Les noted that last November a letter was sent to Patrick Wright requesting short-term funding, there has been no response to the letter. Burt stated he has made a verbal request concerning the letter. On the request for a letter of support on the CALFED proposal, Burt suggested the Board not take a position at this time. Henry Rodegerdts requested that later in the meeting the Board might reconsider the request after the CALFED proposal discussion. It was suggested that the Ranches pay for the short term and use that for cost share in the CALFED request. At Hamilton City, the COE has presented three possible levee alignments; two more were discussed later between landowners and COE staff. The COE will continue moving through the Section 205 and the Comp. Study IP. Burt noted the fundraiser to be held on October 14th in Hamilton City to raise monies for the project. The next project meeting will be on October 22, 2001. At Bloody Island, the BLM has indicated the second phase of negotiations with the Gover Ranch is moving forward. Burt discussed the Annual Report which will be presented at the September 17th Advisory Council Meeting in Sacramento at the Secretary of State Building, 1500 11th Street. A draft was made available to the Board and Burt asked for suggestions and comments. Ben noted that the Executive Committee agreed to review the draft report and have all input back to the SRCA staff by September 7th. The Executive Committee is also reviewing the tasks and deliverables for next year's funding.
- 5) **BOARD COMMITTEE REPORTS** –
- Executive Committee Meeting** – Chair Ben Carter gave an overview of the meeting that included looking at next year's grant – the tasks and deliverables. The Committee agreed to review the draft Annual Report that will be presented to the Advisory Council on September 17th and will give suggestions and comments to the SRCA staff prior to Sept. 7th; the Chair suggested that he and Burt write a cover letter for the report. Burt discussed the Handbook amendment process and the status of the proposed amendments. The Committee agreed that any further questions involving possible conflict of interest involving Burt Bundy should be addressed to The Reclamation Board.

TAC Report - Chair Dan Keppen informed the group that the bulk of the TAC meeting was devoted to discussion on the proposed Handbook Amendments. There were also summaries of possible CALFED proposals from TNC, DWR, and RD 108.

Landowner Assurances Committee - Chair Ben Carter noted the Committee discussed “Good Neighbor” policy in more detail, also discussed were “Safe Harbor” and Incidental Take. Three things came from the discussion (1) Request that counties develop uniform approach to changes in land use; began to draft a policy – would have 2 parallel efforts and then merge them (2) Will ask Diana Jacobs and Paul Ward to look at some of the legal issues in terms of Good Neighbor Policy and (3) Will research outside of California for examples; Ben noted Alan Fulton has been very helpful in accessing resources. Dan Keppen noted that CALFED is also looking at this issue and would like to have somebody come before the TAC or LOA Committee to discuss and possibly merge with this program. Ben noted Tim Ramirez will receive updates on the LOA Committee work. The next meeting will be October 11th at 4:00 at the Colusa County Fairgrounds.

PILT/Economic Committee – Burt Bundy reported on the meeting in the absence of Chairman Denny Bungarz. The Committee met on August 17th and discussed the scope and objectives of the Committee, the group will meet again on September 14th.

Outreach Committee – The Committee did not meet in August; however, Burt and Pat met with MC2 in Chico to discuss possible outreach proposals and will bring them back to the Board in September.

- 6) **HANDBOOK AMENDMENTS** – Chairman Carter discussed the recommendations from the TAC concerning the most appropriate location of Les Heringer’s proposed language. The recommendation from the TAC was that the language should be in the Inner River Zone Guidelines (Chapter 1, Page 6, Inner River Zone Guidelines) rather than in the Reach 3 IRZG. They suggested placement at the end of the section as a new paragraph. At the Executive Committee meeting a suggestion was made to delete a part of the first sentence and incorporate the language in the body of the text rather than as a new paragraph at the end. It was moved by Russell Young, seconded by Mel Dodgin that the Board accept the recommendation from the Executive Committee to incorporate the language in the IRZG section. Motion carried by unanimous vote. On the Conservation Area language, it was moved by Glenn Hawes, seconded by Doug White to accept the recommendation from the TAC to change the glossary item by deleting the last part of the definition, to rescind the proposed new language, and that the Board direct the TAC to continue discussions of a definition for that area. Motion carried by unanimous vote.

- 7) **CALFED PROPOSALS** – Dan Castleberry gave a brief overview of the PSP process. The proposals are due September 21st with the review process ending mid-December. After the initial review the counties will be notified and the proposals will be made available on the web, as will public comments. Tom Evans, FWA, suggested that the SRCA request funding to do baseline studies; specifically, on accumulation of siltation, including change since restoration; woody debris and impacts on flood flows; existing level of damage to “hard points”, who is responsible; what would continuous riparian forest do to the flood flows; an economic study on the seven county area; and how much water is used by existing uses and how much more would be needed for a riparian forest. It was suggested that it might be better to try to find out what baseline data is out there before applying to CALFED for funds; are there baselines that can be looked at? Tom felt the data should be derived from sources that don’t have restoration as

their primary gain. Pete Rabbon suggested doing the footwork, and having package together so can be ready when funding opportunity comes along. Mark Charlton, COE, suggested putting a proposal together to look at existing information, do literature search to see what is out there. The Board gave direction to the TAC to pursue this idea.

Sam Lawson, The Nature Conservancy, presented their proposals :

- Colusa Sub-Reach, Princeton to Colusa, will be a joint venture with the SRCA for studies to gather data that Tom Evans referred to earlier.
- Two Acquisition Proposals – Parcels in Tehama County below Red Bluff Diversion Dam, approximately 400 acres. Parcels in Butte County downstream from the confluence of the River and Pine Creek, approximately 300 acres.
- A project that will identify and collect data regarding the flows that balances the needs for restoration/human needs; hopefully, this will be a joint venture with NACWA.
- Adaptive Management and Science Proposal – work with eight representatives from academic institutions, hope to get balanced view of the information needed to make decisions along the River to get maximum benefit of the uses along the River.
- Restoration proposal for parcels between Hamilton City and Ord Bend - Will restore some jungle, some Savannah, and some grasslands.

Henry Rodegerdts noted the acquisition proposals in Tehama and Butte Counties involve properties that are currently in agriculture; need to have all of the facts on the table. In this case there is a loss of revenue and the loss of agricultural land. Sam noted these properties are erosion and flood prone and that after a generation people have found they should not be there.

Carol Wright, Sacramento River Partners, presented three projects for potential CALFED funding:

- Murphy Slough – partnering with DWR to create and manage a restoration plan focusing on native grasses and native plants suitable for flood management for 350 acres of DWR land in Butte County.
- Drum Heller Slough – partnering with US Fish & Wildlife Service to restore 131 acres of refuge land in Glenn County. Carol noted SRP went out to bid to see if farmers would be interested and question was raised as to how this bidding process was handled.
- Riparian Sanctuary Restoration Study - partnering with US Fish & Wildlife Service to identify issues regarding restoration options, study site specific baseline information, conduct hydrologic assessments and design a unit plan for approximately 450 acres on the Sacramento River National Wildlife Refuge. Would like to work with Princeton-Codora-Glenn Irrigation District and Provident Irrigation District on the bank protection problem.

Les Heringer suggested that the SRCA needs to have funds to finance studies in emergency situations. Dan Silva noted it would be appropriate for the Agencies to come forward, this situation was unfair to the ranch and the economy; the pumps provide water to state and federal wildlife refuge. The expediency of process was discussed and agreement that streamlining the permitting process was needed. It was suggested that Les Heringer work up a proposal that gives a breakdown of the \$400,000.00 cost estimate of removing the gravel. John Merz noted they need to decide what the role of the SRCA is – can't be in a reactive mode, getting hung up on individual issues of permitting, the staff and resources are too limited. Mel Dodgin suggested that Les come to the Advisory Council Meeting on September 17th and ask for input, it might help at that level.

Lynnel asked if after the technical review, would that be the time for the SRCA Board to make comments or support the proposals; Burt noted they will not take positions, will only determine if the project meets the Handbook guidelines.

- 8) **AGENCY REPORTS** – Mark Charlton, COE, introduced Lt. Col. Robert O’Brien and Field Supervisor Wayne White for a discussion on the Biological Opinion, specifically RM149 that involves approximately 770 LF of eroded bank-line and is considered the most serious of the sites. Dialogue will continue on the other sites. A cost proposal has just been received and they are looking at completion of the work this year. Off-site mitigation will commence within 1 year of award of the contract. A question was raised about the remaining sites and whether the decisions on those will include setback levees as these seemed to head the list as mitigation tool. Field Supervisor White noted that after the dialogue the opinion has been changed and there are other options, not just setback levees. Lt. Col. O’Brien agreed that setback levees are not the only economically feasible solution. He also noted the document made available to the Board has 6 or 7 pages that should not be there, these involved references to reasonable and prudent alternatives which do not apply in a non-jeopardy opinion. The document has been corrected.

Pete Rabbon, The Reclamation Board, discussed the acquisition of the Feeney-Lerch Ranch located in Glenn County between RM 172 and 174. The project looks to preserve riparian vegetation in the active meander zone and preserve and enhance the capacity of the floodway. The property includes 24.5 acres of producing walnuts that will be sold. There will be public notifications as this moves forward.

- 9) **ADJOURN - 6:35 P.M.**